

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ESTATE OF TARA O'LEARY, deceased, by
EILEEN DEVLIN and COLEEN WINTERS, Co-
Administratrix *ad Prosequendum* of the
Estate of Tara O'Leary; ESTATE OF LYDIA
JOY PERRY, deceased, by VIVIAN KALE and
JANET FANDEL, Co-Administratrix *ad*
Prosequendum of the Estate of Lydia Joy
Perry,
Plaintiffs,

CASE NO. 3:12-cv-02625

R E C E I V E D

APR 28 2016

AT 8:30 WILLIAM T. WALSH M
CLERK

vs.

DEBRA SLOAN, individually, and as agent,
servant, and/or employee of the State
Defendants and/or The ARC of Hunterdon
County; STATE OF NEW JERSEY; DEPARTMENT
OF HUMAN SERVICES-DIVISION OF
DEVELOPMENTAL DISABILITIES; BRIDGET
GRIMES, individually, and as agent,
servant, and/or employee of the State
Defendants; JENNIFER VELEZ,
individually, and in her capacity as the
Commissioner of the State Department of
Human Services; MARION FENWICK,
individually, and as agent, servant,
and/or employee of the State Defendants;
MARGE BRIEGEL, individually, and as
agent, servant, and/or employee of the
State Defendants and/or the ARC of
Hunterdon County; KENNETH RITCHLEY,
individually, and as agent, servant,
and/or employee of the State Defendants
and/or the ARC of Hunterdon County;
ROBERT HARBOLD, individually, and as
agent, servant, and/or employee of the
State Defendants and/or the ARC of
Hunterdon County; THE ARC OF HUNTERDON
COUNTY; JOHN & JANE DOES 1 - 50 (said
names fictitious, real names unknown),
individually, and as policymakers,
management, supervisors, agents,
servants, and/or employees of the State
Defendants, The ARC of Hunterdon County,
or of the ABC CORPS. 1 - 10 (said names
fictitious, real names unknown),
Defendants.

ORDER OF SETTLEMENT

This matter having come before the Court by Eric G. Kahn, co-counsel
for the Plaintiff, the Estate of Tara O'Leary, by Administratrix *ad*
Prosequendum, Colleen Winters; and Patrick Whalen, co-counsel for the
Plaintiff, the Estate of Tara O'Leary by Administratrix *ad Prosequendum*,
Eileen Devlin; and Kevin Terhune, attorney for the State of New Jersey,
Department of Human Services, Division of Developmental Disabilities,

Jennifer Velez, Marion Fenwick, Marge Briegel, Kenneth Ritchley and Robert Harbold, and the attorneys for the parties having arrived at a settlement of the Plaintiff's claim between the Plaintiff and these Defendants on April 20, 2016; and a prior settlement having been reached with the Defendant, Arc of Hunterdon; and the Court being satisfied that the settlement amount is fair and reasonable and in the best interests of the parties:

IT IS on this 28th day of April, 2016, ORDERED and ADJUDGED that:

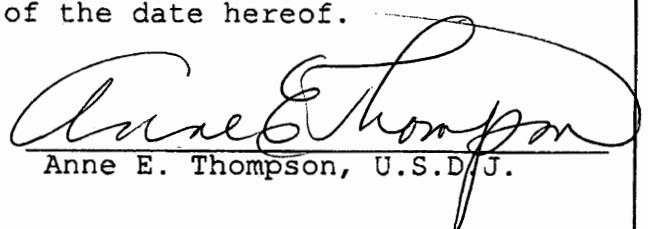
1. This matter is settled on behalf of the Estate of Tara O'Leary, in the gross amount of \$2,100,000.00 as to the State Defendants, \$75,000.00 as to the Defendant Arc of Hunterdon, and a Medicaid lien waiver by the State Defendants in the amount of \$42,102.36, for a total settlement of \$2,217,102.36.

2. The State of New Jersey shall forward 1 check in the amount of \$2,100,000.00 made payable to "Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins Trust Account".

3. The following deductions shall be made from this gross settlement:

a. \$650,183.47 to be paid to Plaintiffs' attorneys which reimburses \$68,185.72 for actual disbursements, costs and expenses and satisfies the attorneys' blended contingent fee of 27.083% totaling \$581,997.75.

4. The attorney for the Plaintiffs shall deliver a copy of this Order to all parties within 5 days of the date hereof.


Anne E. Thompson, U.S.D.J.